

KABATECK BROWN KELLNER LLP

BRIAN S. KABATECK, ESQ. / BAR #152054
 RICHARD L. KELLNER, ESQ. / BAR #171416
 644 South Figueroa Street
 Los Angeles, CA 90017
 Telephone: (213) 217-5000
 Facsimile: (213) 217-5010
 Email: bsk@kbklawyers.com

KHORRAMI POLLARD & ABIR LLP

SHAWN KHORRAMI, ESQ. / BAR #180411
 DYLAN POLLARD, ESQ. / BAR #180306
 444 So. Flower Street, Thirty-Third Floor
 Los Angeles, CA 90071
 Telephone: (213) 596-6000
 Facsimile: (213) 596-6010
 Email: dpollard@kpalawyers.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 (SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
 MARKETING SALES PRACTICES AND)
 PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
) MDL Case No. 06-2392 CRB

Plaintiffs,) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
 vs.) AS TO PLAINTIFF ROBERT ACQUAROLE

PFIZER, INC., et al.)
)
 Defendants.)

COME NOW, Plaintiff ROBERT ACQUAROLE and Defendants PFIZER, INC., et al.,
 by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
 AS TO PLAINTIFF ROBERT ACQUAROLE**

Kabateck Brown Kellner, LLP
 644 South Figueroa Street
 Los Angeles, California 90017
 (213) 217-5000
 FAX (213) 217-5010

41(a), and hereby stipulate to the dismissal of Plaintiff ROBERT ACQUAROLE from this action, with prejudice, each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

By: 

Brian S. Kabateck, Esq.

Attorneys for Plaintiff ROBERT ACQUAROLE

Dated: October 27, 2009

DLA PIPER LLP

By: /s/

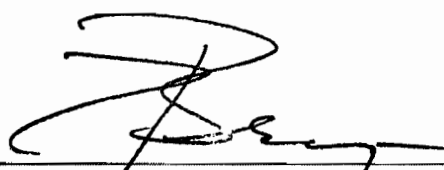
Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

ORDER

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: OCT 29 2009


Honorable Charles R. Breyer
United States District Court